

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
126422/FO/2020 and 126423/LO/2020	7th May 2020	22 <sup>nd</sup> Oct 2020	Deansgate Ward

**Proposal** Refurbishment and extension of existing office building to include elevational alterations and new two storey roof extension to provide additional office accommodation (Use Class B1) and external roof terrace with associated stair cores, change of use of existing restaurant (Use Class A3) at ground floor level to provide commercial floorspace (Use Classes A1, A3 and B1) and at first floor level to provide office accommodation (Use Class B1) (associated listed building consent application reference 126423/LO/2020)

Listed building consent for refurbishment and extension of existing office building comprising new two storey roof extension and external roof terrace, external alterations to windows and doorways, internal strip-out and layout amendments, new lift, and general fit-out including M&E to provide commercial floorspace (associated planning permission application reference 126422/FO/2020)

**Location** Cavendish House, Chapel Walks, Manchester, M2 1HN

**Applicant** Investream Limited, C/o Agent,

**Agent** Miss Emily Roberts, Avison Young, Norfolk House, 7 Norfolk Street, Manchester, M2 1DW

### **Executive Summary**

The proposal is for: internal restoration and refurbishment of the ground, first, second and third floors into offices with active uses on the ground floor; external restoration and refurbishment including reinstatement of previously lost chimneys; a two storey roof extension; and retention of Sam's Chop House.

**Representations:** One letter of support from the owner of Sam's Chop House.

### **Key Issues**

**Principle:** This is a highly sustainable location and an area where change and development activity is anticipated.

**Quality of the scheme and its contribution to regeneration:** The design, appearance and overall sustainability of the scheme is considered acceptable. The proposal would allow the heritage asset to positively contribute to and support the continued success of the city centre. The proposals could generate up to 160 new jobs, and around 100 full and part time jobs during construction.

**Heritage impacts:** Cavendish House is Grade II listed and in the Upper King Street Conservation Area. The external and internal restoration works would have significant benefits in regards to preserving and enhancing its heritage significance. The 2 storey roof top extension is required to make the scheme commercially deliverable. This would cause less than substantial harm but this would be outweighed by the public benefits that would be delivered.

**Social Value:** The refurbishment and full occupation of the building would arrest the danger of this listed building falling into further disrepair and disuse. The retention of Sam's Chop House is welcomed. The applicant's commitment to a local labour agreement would support apprenticeships, training and other forms of employment through the construction phase of the development.

**Climate Change:** The development would improve the emissions rate by more than 50%. The construction would source materials and labour locally where possible.

A full report is attached below for Members consideration.

### **Description of the site**



*Existing view from the junction of Chapel Walks and Cheapside*

Cavendish House is a 4-storey, Grade II listed building with frontages to Chapel Walks, Pall Mall and Back Pool Fold. Sam's Chop House occupies the lower ground floor and the vacant ground and first floor were previously occupied as a restaurant. The upper floors comprises vacant office space. The building has suffered from a

level of neglect by previous owners, and the upper office floors are understood to have been largely vacant for over 10 years.

The Motel One Manchester-Royal Exchange adjoins the site and the Grade II listed Northern Stock Exchange, a boutique hotel is to the north east. One Marsden Street, an 11 storey office is on the opposite side of Chapel Walks. Further south is a gym and retail units. To the west is 5-7, 9-11 & 15-17 Chapel Walks whose upper floors are being converted to residential use.

The building was damaged during World War and aerial photographs show the building to have been extensively damaged with the roof and at least the top floor missing. The existing corrugated metal roof is estimated to have been fitted in the early 1950s when many repairs to war damage were finally completed. It is uncertain how much of the interior remained after the war damage, and what was subsequently removed, but there is little evidence of surviving fabric. The cast iron columns in lower floors are historic and the second floor appears to have old floor timbers in places, matching those visible on the lower ground floor.



*Aerial photograph showing bomb damage (Britain from above ref. EAW038398)*

The site is in the Upper King Street Conservation Area designated in November 1974 and was extended in June 1985, to include properties up to Market Street and Mosley Street. The street pattern in the area is generally orthogonal and follows an offset grid with generally very narrow streets and there are few long views.



*View of the Site taken from  
Cross Street 1914  
(Manchester Archives)*

The buildings in this area vary in height from 4 storeys up to 14 storeys with a mix of historic and modern buildings. The area predominantly comprises office and commercial uses, but also includes residential, retail, leisure and entertainment along Market Street. There has been some redevelopment in recent years, and significant developments have taken place or are currently under construction. As such, there is a wide range of architectural styles, scale and uses that have evolved the character of the area.

### **Description of the proposals**

The applications propose to restore and refurbish the existing interior and exterior of the building, including a two storey roof extension to provide additional office space with an external roof terrace, and use of the ground floor and first floor former restaurant as office space with a reconfigured ancillary A1/A3 unit at ground floor.

Listed building consent has been sought for the refurbishment and extension of the building including a two storey roof extension and external roof terrace, external alterations to windows and doorways, internal strip-out and layout amendments, new lift, and general fit-out including M&E to provide commercial floorspace.

The proposal would:

- Retain Sam's Chop House at lower ground floor level.
- Convert former restaurant space on the ground and upper ground floor to create entrance/reception and office space.
- Convert and create modern office space on floors 1 – 4.
- Add a two-story roof extension, with roof terrace.
- Reintroduce the historic brick chimney stacks to the listed building to recreate the historic stacks.



*Proposed fifth floor roof extension internal CGI*

A Viability Appraisal submitted in support of the proposals by the Applicant concludes that the proposed two storey, plus roof terrace, extension is required in order to ensure the scheme is deliverable and viable. The roof extension design is of a contemporary form which contrasts with the historic aesthetic of the existing building.

The proposals would significantly improve DDA access into and throughout the building by virtue of the internal reconfigurations to access. Further, dedicated internal waste storage provision would be possible along with dedicated internal cycle storage.

The restoration of a Grade II listed heritage asset would include the total replacement of the 'temporary' roof structure constructed in the 1940s and the reinstatement of historic chimneys.

#### Scope of general works and restoration of the listed building

##### **External facade works**

- Brickwork pointing and repair
  - Repair of rending to stonework plinth and stone coping repairs
  - Localised masonry cleaning of biological growth
  - Repair and renewal of lead guttering
  - Removal of redundant fixtures and fittings
  - Timber sash window frame repairs e.g. localised rot, beading renewal.
  - Replacement of non-original casement windows with 27 no. timber sash windows.
- Internal

##### **Internal strip out of non-original features**

-Careful removal of; existing non-original M&E services; non-original stud walls, plasterboard, insulation and doors; plasterboard boxing to beams and columns; and non-original contemporary wall and floor finishes.

### **Internal works and restoration**

- Repair and reinstate decorative plaster work.
- Exposing original columns and timber beams throughout the ground, first and second floors.
- Floorboards would be upgraded from underneath to meet fire regulations, and floors would have slim raised access.
- Restore historic ceiling detail at second floor level.
- WCs and plant to sit behind the circulation core at each upper floor level, enabling risers to function vertically through this central core area.

The supporting Design and Access Statement sets out general design and conservation principles which would guide the final detailed design and implementation of works related to the restoration of the listed building.

The creation of grade A office accommodation would enhance the original space and fabric, causing minimal detriment to the significance as possible, whilst bringing the asset back into viable use.

The principles of such works are briefly set out as follows:

Minimum loss of fabric – Conserve and repair existing historically significance fabric.

Minimum intervention – New partitions and livings over existing fabric to be minimised to ensure readability of the original layout, including exposing existing column heads and timber beams.

Reversibility – Proposals would where possible be reversible and cause minimal damage to the existing original building fabric.

Honesty of interventions – Design contemporary insertions which can be read as such, while minimise their extent. Ensure new and historic fabric can be clearly understood and read visually to ensure no confusion as to the historical layouts or design of the heritage asset. For example, provide shadow gap details at new junctions with historic fabric. Intrusive and damaging non-historic elements which clearly detract from the significance of the asset would be removed, for example false ceilings which conceal historic features.

The following documents are submitted in support of this application:

- Full set of existing and proposed drawings prepared by Atelier MB Urban Architects
- Supporting Planning Statement prepared by Avison Young
- Design and Access Statement prepared by Atelier MB Urban Architects
- Transport Statement prepared by Mode Transport
- Draft Travel Plan Framework prepared by Mode Transport
- Bat Report prepared by TEP

- Planning Noise Assessment prepared by Cole Jarman
- Crime Impact Statement prepared by Design for Security
- Energy and Sustainability Statement prepared by Marketaylor
- Heritage Statement prepared by Atelier MB Urban Architects
- Access Strategy prepared by Atelier MB Urban Architects as part of the Design and Access Statement
- A Viability Statement prepared by DS2.

## **Consultations**

**Local publicity** - The occupiers of adjacent premises were notified and the development was advertised in the local press as affecting a Listed Building and affecting a Conservation Area, and a site notice was displayed at the site.

As a result of this local publicity one letter of support was received by the current tenant of the lower ground floor restaurant (Sam's Chophouse). The letter of support is detailed as follows:

Sam's Chop House was established on Cockpit Hill in Manchester in 1868 by brothers Samuel and Thomas Studd. Sam's has occupied three sites over 152 years. The first relocation in 1872 was to Market Street and the chop house has been in its current location in Cavendish House since 1958. In this period Sam's has become a Manchester institution, or, as City Life magazine put it, "as much a part of the city as rain".

The bar is famous as artist LS Lowry's local and it is graced by a life-sized bronze of arguably Manchester's most famous son. He is further made flesh inside by Sefton Samuels' iconic photographs from the 1960s which depict Lowry the human being in the way we have come to remember him. Many other artists have trodden in Lowry's footsteps in Sam's – from Lowry's friend Harold Riley to the Northern Boys of recent times. From iconic Private Eye cartoonist Tony Husband to giants of Manchester's music scene, artists of a different kind like Guy Garvey and his bandmates from Elbow through Damon Gough and the Buzzcocks to pretty much every band from the Madchester era. This is a culturally significant space rather than just a clone from the blueprint of a chain. Sam's is itself is a heritage asset without formal designation. And, to this day, before Covid-19 placed its future in jeopardy, it has supported emerging local talent with weekly live music nights. Further, the restaurant has served the people of the city with the best of British food made with fresh local ingredients for decades.

For all but 20 years of this time, when it was within the ownership of Scottish & Newcastle Brewery, Sam's has been an independently-owned, local family business and one of the establishments that make the city of Manchester unique.

Sam's now faces an existential threat and it is no exaggeration to say that the future of Sam's Chop House relies upon the redevelopment of Cavendish House proposed by the applicant. Furthermore, that it relies upon the approval of the proposed scheme at the earliest possible opportunity.

Any delay will likely lead to the failure of the business whilst we wait for the project that will breathe new life into this location. Investstream have demonstrated to Sam's their impressive ability to move quickly, to be flexible and to be responsible stakeholders. I the Planning Department to take the initiative and to help enable resolution of any planning problems to the benefit of all parties including the city itself.

Sam's is a sub-basement business in a building which has remained unlet for more than 30 years. Below a site which failed last year. At the end of an alley (Back Pool Fold) which is so unloved that it has become home to rough sleepers, vermin and an explosion of bins, drug paraphernalia, petty crime and waste.

In other words, Cavendish House lies at the heart of an area which needs regeneration. The city has been unable to fund this regeneration. We have tried for years to get schemes off the ground. Every approach has failed because of lack of funds. Now we have an investor ready to take the initiative. Ready to improve the building. Ready to bring new people to a space that was once at the very heart of the city's office sector. And more importantly ready also to invest in the public realm outside in Back Pool Fold to bring to life an informal BID-supported scheme which was approved in principle last year by Sir Ricard Leese.

If this application secures consent, Sam's will get a new space, an exterior make-over and an attractive outside dining space which is critical to any chance of prospering in a future where we get used to living with annual coronavirus infections. The city will get new life in a backwater that needs it, and we stand a chance of surviving.

Without it, quite simply, there will be no Sam's. Our business needs the support of a successful and generous landlord to bridge the period until the economy can reboot. To do this the landlord needs an approved scheme that can begin this year before the restrictions of the Christmas cranes embargo. Which means the planning department will be determining the future of the Manchester's independent chop houses as well as this one project.

The applicant has demonstrated their ability to work with us. I urge you to give them the opportunity to work with you to secure the approval they need in the timeframe the emergency dictates. This is an opportunity to embrace the flexibility and new ways of thinking we have heard so much of in the city's response to this crisis. Please take it.

**Head of Regulatory and Enforcement Services (Environmental Health)** – No objections subject to conditions regarding; acoustics (use and external plant); deliveries, servicing and collection hours; fume, vapours and odours (associated with A1/A3 use); hours of operation; and waste storage and collection.

**The Head of Neighbourhood Services (Highway Services)** – No objections. A car-free approach is appropriate in this location and the Transport Assessment has highlighted opportunities for Car Club and disabled car parking nearby. Requested that; on site cycle parking; a construction management plan; and a travel plan be implemented and controlled via appropriate conditions.

**The Head of Neighbourhood Services (Flood Risk Management)** – No objection to the proposal and given that there is no increase in footprint of the building or alteration of existing drainage from the roof, no further drainage or flood mitigations measures are required.

**Historic England** – Have no comments and suggest views are sought our specialist conservation adviser.

**Manchester Conservation Area and Historic Buildings Panel** – Welcomed the building being brought back into use but the two storey extension needs to be fully justified, in terms of its visibility from certain locations and key viewpoints. The mansard could look cumbersome on the roof and a single storey may fit more comfortably. The lift shaft creates an awkward junction and clearer lines would be preferred.

The views up Chapel Walks could be enhanced by the reinstatement of the chimneys but suggested that they had been lost many years ago, new stacks would be for decoration only and not functional. Roof top extensions are often let down by the final details, designs, materials and finish and this needs to be fully detailed.

**Greater Manchester Police (Design for Security)** – No objections subject to the physical security specifications of the Crime Impact Statement being adhered to.

**Cadent (Gas Network)** – No objections and provided informative notes to the applicant.

**Greater Manchester Ecology Unit** – No objections and recommended reasonable avoidance measures during any roof works regarding potential for bats and a condition relating the protection of any breeding birds.

**Ward Councillors** – No representations received.

## Issues

### National Policy

The revised National Planning Policy Framework (Feb 2019) sets out the Government's planning policies for England and how these are expected to apply. It aims to promote sustainable development. The Government states that sustainable development has an economic role, a social role and an environmental role (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan. Paragraphs 11 and 12 state that:

"For decision- taking this means: approving development proposals that accord with an up-to-date development plan without delay" and "where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date

development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

The proposed development is considered to be consistent with sections 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF for the reasons briefly outlined below, and further explored in the Issues section of this report.

NPPF Section 6 - Building a strong and competitive economy - The development would be highly sustainable and deliver high quality office space. It would promote the use of sustainable transport and would create a well-designed place and reduce the need to travel.

It would develop a building which has long standing vacancy issues and create employment during construction and assist economic growth. It would complement the wider area, enhance the built and natural environment and help to create a neighbourhood where people would choose to be.

NPPF Section 7 Ensuring the Vitality of Town Centres – The Regional Centre is the focus for economic and commercial development, leisure and cultural activity, alongside city living. The proposal would help to create a neighbourhood which would attract and retain a diverse labour market.

Section 8 Promoting healthy and safe communities – The potential reuse of the site at full occupancy would help to re-integrate the site into the locality and increase levels of natural surveillance in the area.

NPPF Section 9 Promoting Sustainable Transport – This highly sustainable location would give people choice about how they travel and contribute to sustainability and health objectives. The site is close to train, tram and bus links and would help to connect residents to jobs, and local facilities.

NPPF Sections 11 (Making Effective Use of Land) and 12 (Achieving Well Designed Places) - The proposal would be appropriate to its context, the extension would be of an acceptable quality and would deliver regeneration. Further justification for the scale and massing and the positive aspects of the design are discussed below.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) - The site is highly sustainable. The development would accord with principles that promote energy efficiency, integrating sustainable technologies from conception, through feasibility, design and build and in operation.

Section 16 (Conserving and Enhancing the Historic Environment) – The design has been carefully considered. Parts of the building that have been vacant for many years would be brought back into beneficial use. The heritage impacts are discussed in more detail below.

In terms of the NPPF the following should also be noted:

Paragraph 193 states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the

asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Section 195 states that where a proposal will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

Section 196 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Section 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 200 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The proposal would re-use a currently largely vacant listed building and introduce a high quality two store extension that would ensure the future use, and therefore preservation, of the building is secured for this and future generations.

## **Local Development Framework**

The **Core Strategy Development Plan Document 2012 -2027** ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein. Those which are of particular relevance to the current hotel proposals are as follows:

Policy SP 1 (Spatial Principles) - The development would be highly sustainable and would deliver economic and commercial development within the Regional Centre.

It would be accessible by all forms of sustainable travel. It would enhance the built environment and create a well designed place that would enhance and create character, re-use previously developed land and reduce the need to travel.

Policy EN1 (Design Principles and Strategic Character Areas) – The proposals would ensure that the existing rich pattern of development and legacy of the evolution of the City would be preserved and maintained for future use.

Policy EN3 (Heritage) - The proposal would improve the condition of Cavendish House and protect its heritage significance. It would create modern refurbished office space and bring vacant space back into long term viable use.

Policy EN4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development – The proposal would be serviced by low energy equipment which would deliver a reduction of 50% carbon dioxide emissions over existing services.

Policy EN8 (Adaptation to Climate Change) – The reuse of the building is inherently sustainable and the low energy equipment would reduce carbon dioxide emissions by 50%.

Policy EN14 (Flood Risk) – The building footprint would not change and the roof drainage arrangements would remain the same.

Policy EC 1 (Employment and Economic Growth) - The proposals would provide over 2200 sq. m of office floorspace and could generate up to 160 new jobs, and around 100 full and part time jobs during construction.

Policy EN19 Waste - Conditions would ensure that the proposal is consistent with MCC waste strategy requirements.

Policy T1 (Sustainable Transport) – This highly sustainable location would increase the use of sustainable transport modes such as walking and cycling.

Policy T2 Accessible Areas of Opportunity and Need - The proposal would create employment opportunities that are accessible to Manchester residents for a variety of skill sets and qualifications. The site is accessible by a range of transport modes and close to bus, train and tram routes.

Policy DM 1 (Development Management) - Outlines a range of general issues that all development should have regard. The application is supported by reports in relation to Noise, Transport, Ecology, and Waste Management. The application is also supported by a CIS. These reports assess the impact of the proposals upon the local environment, recommend mitigation measures where necessary and conclude that the proposals would not have an adverse impact on the amenity of surrounding users, provided appropriate mitigation measures are in place.

Policy CC1 (Primary Economic Development Focus: City Centre and Fringe) - The proposals would deliver high quality refurbished floorspace which would contribute to economic growth and provide employment in an accessible location.

Policy CC5 (Transport) – A Transport Statement concludes that that there would be no significant detrimental impacts to the highway network. The site is accessible by public transport and sustainable modes of travel. A Travel Plan would promote the use of sustainable transport modes by staff and visitors.

Policy CC6 (City Centre High Density Development) – The proposal would increase the density and use of the existing building.

Policy CC8 (Change and Renewal) – The reuse and refurbishment of the vacant space and two storey extension would create employment which should be supported subject to the balance of any heritage issues associated.

Policy CC9 (Design and Heritage Design) – The internal and external works would be of an appropriate quality and would on balance serve enhance the heritage asset.

Policy CC10 (A Place for Everyone) - The building would be inclusive with level external door thresholds, auto operating entrance doors, accessible toilets, lifts, DDA compliant corridor and door widths throughout the design where possible given heritage related constraints.

### **Saved Unitary Development Plan policies**

Whilst the Core Strategy has now been adopted, some UDP policies have been saved. The proposal is considered to be consistent with the following saved UDP policies DC10 (Food and Drink uses), DC18 (Conservation Areas), DC19 (Listed Buildings) and DC26 (Development and Noise) for the reasons set out in this report.

Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of its policies:

SO1. Spatial Principles – This is a highly accessible location, close to good public transport links, and the proposal would reduce the need to travel by private car.

SO2. Economy - The reuse of vacant office space would help to improve the City's economic performance. It would provide jobs during construction and permanent employment in a highly accessible location and would support the business functions of the city centre and the region.

SO5. Transport – This is in a highly accessible location and would reduce the need to travel by private car and make the most effective use of sustainable transport.

SO6. Environment - The proposal would help to protect and enhance the City's built environment and ensure the sustainable use of natural resources, in order to mitigate and adapt to climate change so as to ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

### **Supplementary Planning Guidance**

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposals would be consistent with these principles and standards.

Manchester City Centre Strategic Plan - The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the city centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over period of the plan, updates the vision for the city centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the city centre neighbourhoods and describe the partnerships in place to deliver those priorities. The proposed development would be complementary to the realisation of the opportunities set out above.

Stronger Together: Greater Manchester Strategy 2013 - This is the sustainable community strategy for the Greater Manchester City Region. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life. The proposal would help to achieve a number of key growth priorities set out within the GM strategy including the reshaping of the economy to meet global demand, building Manchester's global brand and improving international competitiveness.

### **Other Relevant City Council Policy Documents**

## Climate Change

Our Manchester Strategy 2016-25 – sets out the vision for Manchester to become a liveable and low carbon city which will:

- Continue to encourage walking, cycling and public transport journeys;
- Improve green spaces and waterways including them in new developments to enhance quality of life;
- Harness technology to improve the city's liveability, sustainability and connectivity;
- Develop a post-2020 carbon reduction target informed by 2015's intergovernmental Paris meeting, using devolution to control more of our energy and transport;
- Argue to localise Greater Manchester's climate change levy so it supports new investment models;
- Protect our communities from climate change and build climate resilience.

Manchester: A Certain Future (MACF) – This is the city wide climate change action plan, which calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city by 2020. Manchester City Council (MCC) has committed to contribute to the delivery of the city's plan, and set out its commitments in the MCC Climate Change Delivery Plan 2010-20.

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. 1.3 In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these ambitious new targets.

The Zero Carbon Framework - outlines the approach which will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the world-renowned Tyndall Centre for Climate Change, based at the University of Manchester.

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO<sub>2</sub> from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken.

Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus the development of a 'circular economy', in which sustainable and renewable materials are reused and recycled as much as possible.

Climate Change and Low Emissions Implementation Plan (2016-2020) -This Implementation Plan is Greater Manchester's Whole Place Low Carbon Plan. It sets out the steps we will take to become energy-efficient, and investing in our natural

environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester's air quality. These have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation

The alignment of the proposals with the policy objectives set out above are set out in the report below.

## **Conservation Area Declarations**

### **Upper King Street Conservation Area Declaration**

The Upper King Street Conservation Area has been designated as a Conservation Area as it lies at the heart of Manchester's business and commercial district and to preserve and enhance the impressive grandeur of this part of the city historically associated with major banking, insurance and other financial institutions for the North of England. The area today is remarkable for buildings which whilst of a variety of architectural styles stand well together. The area was designated in November 1970 and extended in June 1986.

## **Legislative requirements**

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

S149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

### **The Scheme's Contribution to Regeneration**

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the Region and is crucial to its longer term economic success. Manchester's population grew by 19% between 2001 and 2011 making it the fastest growing city in the UK outside London. The Greater Manchester Forecasting Model, prepared by Oxford Economics 2015, forecasts growth between 2014 and 2024 of around 128,300 more people, 109,500 net new jobs and £17.3 billion more GVA. Manchester's economic success has been driven by its role as the leading educational, professional and business service centre outside of London, its global connectivity through Manchester International Airport, the growth of business and leisure tourism. The proposal would continue the City's economic growth while retaining and enhancing the existing associated culturally significant venue established at the site.

The office accommodation has been designed for a specific end user but would be a flexible and adaptable space. It could in the future be occupied by a single end-user or multiple tenancies. There is demand for high quality office space in the City Centre and it is essential that highly sustainable locations are able to deliver the development necessary to meet this demand.

The proposal would improve the environment for those who choose to live, work in and visit the area; and help to ensure that the City Centre is competitive. It would strengthen the business sector, be accessible to all users and promote investment opportunities. It would preserve and enhance the City's architectural and historic fabric and create jobs and, therefore, help to continue the successful regeneration of the city centre and its economy.

In view of the above, the development would be in keeping with the relevant planning policies referred to above.

### **Impact on Designated and Non Designated Heritage Assets and Visual Impact Assessment**

#### Heritage significance of existing building

A Heritage Assessment explores the heritage significance of the building using methodology set out by Historic England. The Aesthetic value, Historical value, Communal value and Evidential value are set out below.

**Aesthetic value** - The elevations are a good example of 19th century commercial architecture in this part of the city. The rounded corner and pairing of red brick and stone is attractive though there are no features of particular distinction. The later changes and loss of the interior have detracted from this significance. The aesthetic value is deemed to be medium.

**Historical value** - The building is of historical interest as an example of its time. Its survival and altered form following the blitz attack lends it some historical interest. The historical value is medium.

**Communal value** - The building holds an amount of communal value as part of the streetscape but has no particular significance for any specific group of people. The communal value is deemed to be low.

**Evidential value** - The pairing of the ornate façade of Cavendish House and plainer aesthetic of Pool Fold Chambers, and the contribution the whole makes to the unusual narrow passageway of Back Pool Fold, are of significance. However, the building has been much altered inside and retains few original features beyond the façade. The roof has been replaced, there are areas of infill, and the windows are also altered at upper level. Evidential value is deemed to be low.

#### Significant elements

As a direct consequence of the WWII bombing, the larger Chapel Walks block was rebuilt internally, at least at upper floor levels. There are some remaining features detailed below, but the photographic evidence clearly demonstrates that a significant proportion of original fabric was lost.

The partial basement appears to be much in its original brick-built form, with original brick arched ceilings and some timber beams and chamfered features. This area has undergone more modern non-original additions such as new walls and refrigeration equipment. The head height is limited and there is little sign of decoration. It is considered that the heritage significance of this space and fabric is Medium.



positioned on the corner of the building, is now an important feature of the building in the streetscape. It is considered the heritage significance of this space and fabric overall is low, notwithstanding notable features.

*Entrance to Sam's Chop House, corner of Chapel Walks and Back Pool Fold*

The lower ground floor has been occupied by Sam's Chop House, since around 1958.

The majority of the physical fabric appears to have been installed at this date or later. Original cast iron columns are the most significant features, highlighting construction methods and giving evidential and historic value.

The pub and dining room have the feel of being older with some attractive tiling features, but their historical value is limited given their date. The space in general, whilst having some associative community heritage value as a long standing venue in the City Centre has slight historical or architectural significance.

The entrance to the unit, which is an important feature of the building in the streetscape. It is considered the heritage significance of this space and fabric overall is low, notwithstanding notable features.



The upper ground floor and first floor was last used as a restaurant via an entrance off Chapel Walks. Internally it has undergone significant modern alterations, including a large modern staircase with large black beams, which are somewhat at odds with the age and style of the building.

The restaurant has toilets in the longer back (Pool Fold Chambers) which are new and have no heritage significance. However, cast iron columns are present in this space, similar to the lower ground floor.

It is considered that the heritage significance of this space overall is Low, notwithstanding the cast iron columns which are of Medium significance.

*Cast iron columns within existing restaurant space*



*Internal view floor two*



*Internal view floor three*

The upper floor internal spaces at second and third floor are mostly open plan to the Princes' Chambers block, apart from the circulation core. Floors are non-original at 3<sup>rd</sup> floor level and most likely parts of the 2<sup>nd</sup> floor have been replaced post WWII.

The internal columns are non-original and the surviving original fabric largely related to the original brick walls which survived the bomb damage in WWII. The rear of the second and third floors have evidence of former window openings between the dividing wall, but these appear to be related to the former adjoining property and whilst of evidential interest, were not designed to be viewed. The heritage

significance of these spaces and fabric is considered to be Medium (walls and window openings and original boards) with Low value to later changes.

Pool Fold Chambers has smaller internal rooms at second and third floor levels which feature plaster ceilings which appear original but are in badly damaged condition. The same room at third floor has evidence of a chimney breast but has suffered damage and the original fireplace is no longer in place. The heritage significance of these features is Medium, as one of the few remaining internal decorative features, though evidential value is limited given the isolated, damaged and fragmented remaining fabric.

The third floor in Pool Fold Chambers has exposed timber trusses, and the space has been renovated in recent years, but it is uncertain if these are original or refurbished structures and an internal wall obstructs full views of the timbers.



*Internal view of non-original roof structure*

The metal roof is not original and its form is unsightly. It is unlikely to have been seen as a permanent feature when it was fitted, post WWII. Whilst it is a reminder of part of the building's story, it detracts from the asset as a whole and, whilst it cannot be seen from street level, from the interior its finish is poor and it is not in keeping with the character or quality of the building. The heritage significance of the roof is therefore considered as Low.

The elevations of Chapel Walks and Pall Mall are attractively detailed and of a good quality design. The buildings architectural and historic interest, and aesthetic and

historical value are principally derived from its external appearance, which is of high significance.

The elevation facing Back Pool Fold has had some infill and alteration and it is uncertain what date this took place, but the resulting façade does not read as a cohesive elevation and the brickwork, windows and sills are likely additions to facilitate loading areas. These non-original alterations detract from the original elevation, including evidence of a previous external fire escape. The heritage significance of the crude infill is low.

The window openings are largely original in shape and the bomb damage sustained indicates that the glazing is replacement with some, if not all, of the timber frames. There are two distinct profiles of windows on the building. Slimmer, high quality sashes with fine detailed profiles, which survive, may be original in some instances or a later replacement after war damage but are in any case of architectural value. The second type are chunkier and heavier modern replacements which are of a lower quality craftsmanship and therefore less valued. Glazing patterns follow sash form at lower floors and multi paned casements at upper floor levels. The heritage significance of the original sash form is high and the later casements are low.

The Pool Fold Chambers entrances are of a High significance however the adjoined non-original infill loading bay to the right, which has been infilled with a glazed screen design at an unknown date, are of Low significance and detract from the buildings overall high quality aesthetics.

There are internal features which are worthy of retention but in general due to either bomb damage or past unsympathetic alterations the character of surviving features has been eroded by the isolated and fragmented nature of what remains.

### Impacts on Significance of the Listed Building

The design of the scheme has changed since submission and the roof extension was revised to include the introduction of the decorative chimney stacks along with horizontal features which aim to minimise the impact of the roof extension.

A Soft Strip Methodology and Conservation and Repair Strategy sets out how the works designed, implemented and finished. Conservation Principles would guide the final details of the refurbishment works. .

Internally, ground floor original columns will be exposed. Non-original partitions will be removed and an opening created to link the circulation core. At first and second floor the original columns would be exposed. The remaining historic ceiling detail will be restored to the room within Pool Fold Chambers. At the third floor level the non-original columns are to be removed. These works would be minor, beneficial. At all floors the floorboards would be upgraded from underneath to meet fire regulations, and floors would have slim raised access. These works would be minor, beneficial.

The WCs and plant will sit behind the circulation core, enabling risers to function vertically through this central core area. These works would be minor, neutral.

Works to the external elevations, including extensive repair and restoration would be minor, beneficial. The repair of original windows and the replacement of poor non-original replacement windows with replica timber sashes would restore the fenestration to its original form and would have a high, beneficial impact. The replacement of the two altered bays at ground level on Back Pool Fold with glazing would remove a negative addition and re-expose the former volume of the bays would have a moderate, beneficial impact.

The primary facade of the roof extension would be structural silicone glass, set back from Chapel Walks and Pall Mall with an internal frame and rounded corner design. The circulation cores would be clad in a semi-permeable solution in order to dilute the massing and volume. The design and use of high quality materials would be clearly recognised and read as a contemporary addition.

The existing metal roof and timber floor at third floor level, which was added post-war following the bomb damage, would be removed. This would have no direct impact upon historic fabric. The design of the roof extension was amended to reinstate the 'lost' brick chimneys on the main elevation. The reinstatement of the chimneys on the principle elevation would be considered to have a moderate, beneficial impact.

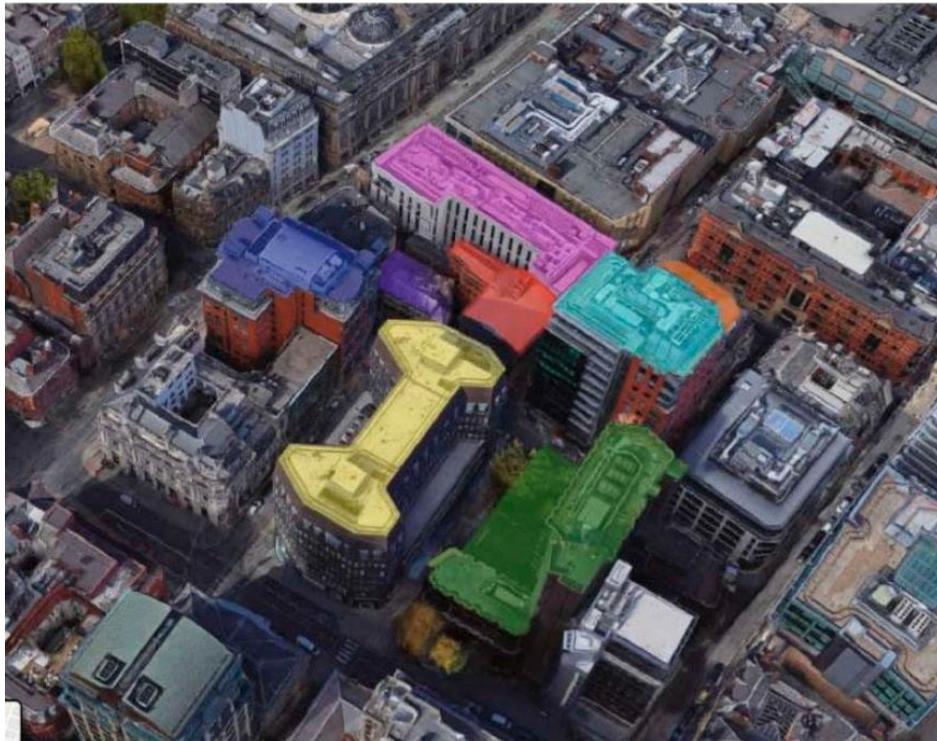
The impact of the roof extension on the physical original fabric of the building would be minimal. Its impact in the streetscape, which is discussed in more detail below, is considered to be greater and would have an overall adverse impact. This impact could be seen as 'less than substantial harm' to the historic and architectural significance of the asset.

To conclude the instances of adverse impacts relate to the two storey extension. The beneficial impacts relate to the substantial repair and removal of elements that detract from the buildings architectural value, such as the complete refurbishment of the vacant upper floors and repair of the exterior elevations. It is considered that these impacts, which would allow the re-use of the building, would cause less than substantial harm.

When balanced against the benefits of bringing the building back into viable end use, comprehensively restoring the original exterior, reinstating the original chimney forms and adding a high quality office space extension, it is considered that the wider benefits outweigh the relatively minor degree of harm.

### Impacts on setting of Conservation Area and other Heritage Assets

Cavendish House is in the Upper King St Conservation Area, and Chapel Walks is a busy route through the busy commercial core. Cavendish House is one of the few remaining predominantly brick and stone buildings in an area, which since the 1960s has seen some larger developments of glass, steel, and concrete.



- Key**
- Cavendish House Site
  - Motel 1 Hotel, Circa 2015, Render
  - Pall Mall Court, 1960s, Grade II Listed Building, Glass and Tile
  - Northern Stock Exchange, 1907, Grade II Listed Building, Portland Stone
  - 55 King Street, 1960s, Granite Clad
  - 1 Marsden Street, 2000, Glass, Aluminium and Stone Cladding
  - Chapel Walks Chambers, 19th Century, Brick and Half Timbering
  - The Observatory, Glass, Brick and Cladding

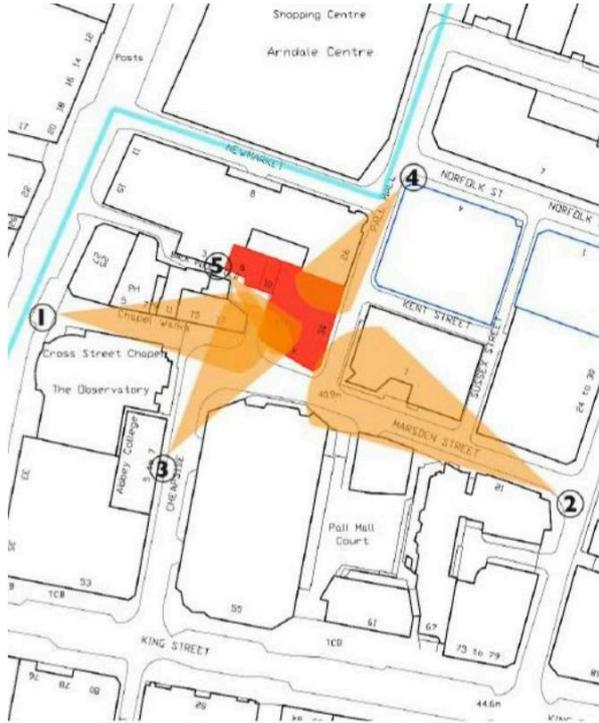
*Aerial view highlighting building character in the area (Google Earth)*

The dense street patterns and the scale of some of the surrounding buildings means there are very few long range views of Cavendish House, and most neighbouring buildings, but not all, are taller. In this context there may be an opportunity to deliver a modern, contemporary addition to the heritage asset, while respecting the character of the Conservation Area.

When approaching the site from Pall Mall or Marsden Street would largely be obscured by existing buildings. Views of the extension from Back Pool Fold would be limited given how narrow this passage is.

The main views affected are from Cross Street and Cheap Side. Views from Cross Street would arguably be improved by the reinstatement of the historic chimneys. The full extent of the proposal would only be prominent from relatively limited views when approaching the site from Cheap Side.

The following 'key views' diagram and proposed CGI views from Cheapside, Cross Street and Marsden Street, provide a better understanding of the visibility of the site in the immediate and wider street scenes.



*Key views towards the site*



*Key proposed CGI views from Cheap Side*



*Key proposed CGI views towards the site from Cross Street (left) and Marsden Street (right)*

A significant element of its character of the Upper King Street Conservation Area is its mixture of historic and contemporary architecture and there are examples of roof top extensions to historic buildings in this Conservation Area. There would be an impact upon a limited number of views, the overall impact on the heritage value and significance of the wider Conservation Area is considered to be minor.

The proposed development is not considered to affect the setting of the nearby Grade II Northern Stock Exchange (Norfolk Street) as these buildings would not be read together in the street scene. Indeed, this nearby listed building has recently undergone a relatively substantial modern roof extension.

### Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the detailed design, procurement and construction process. The design team recognises the high profile nature of the proposal and the design response is appropriate for this prominent site. The range of technical expertise that has input to the application is indicative that the design is technically credible. The proposal has been prepared by a design team familiar with the issues associated with developing high quality buildings in city centre locations, with a track record and capability to deliver a project of the right quality.

### Architectural Quality

The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures.

The contemporary minimalist would be clearly read and defined as a modern addition to the heritage asset. The majority of the surrounding buildings are mainly glass and metallic pallets.

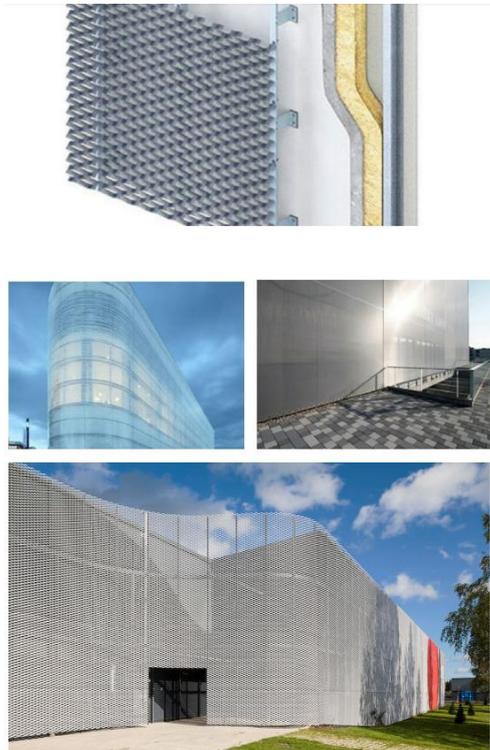
When viewed from the most prominent street views the predominantly glazed roof extension would reflect the surrounding glasswork of the contemporary buildings. The reinstatement of the historic chimneys would, to some extent, draw the eye away from the extension behind.

The structural design has been refined such that the section sizes are minimised, and these are set back from the glazing line and follow the frameless mullion rhythm of the glazing. This rhythm would follow the historic fenestration beneath.

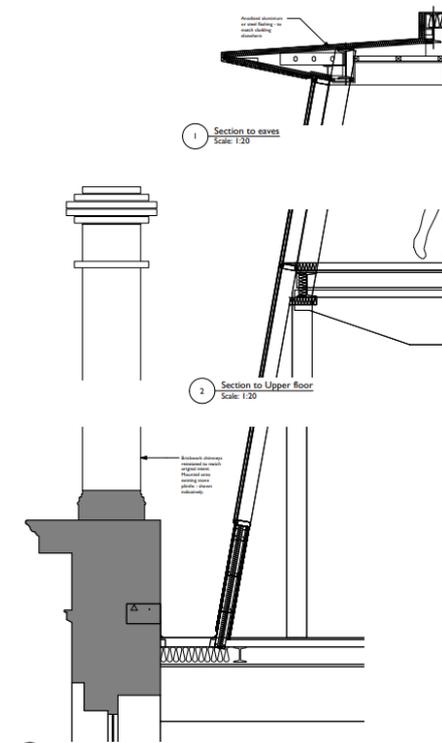
The circulation core has been treated as a distinct element which is inevitably taller than the main glazed form. A reflective metallic mesh covering the built form would seek to accord with the predominant glazed façade. The distinction in materials is necessary due to practicalities regarding fire safety requirements, and also taking into account that positioning the main circulation elsewhere in the building would result in significantly more harm to the internal historic fabric and spatial character of the listed building.



*Precedent images for the glazed volume*



*Precedent images for metallic mesh*



*Technical roof extension details*

## **Consideration of the merits of the proposals within the National and Local Policy Context relating to Heritage Assets**

Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission for proposals which would affect it. However section 72 of the Act also requires members to give special consideration and considerable weight to the desirability of preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it. Of particular relevance to the consideration of this application are paragraph's 192, 193, 196, 197 and 200.

The NPPF (paragraph 193) stresses that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Significance of an asset can be harmed or lost through alteration or destruction or by development within its setting. As heritage assets are irreplaceable, any harm or loss should clearly and convincingly justified.

The majority external and internal work would be beneficial to varying degrees. It is acknowledged that the roof extension, while removing a non-original roof structure that detracts from the asset, would cause a degree of harm, which is less than substantial, in regard to the listed building and setting of the designated Upper King Street Conservation Area.

Paragraph 20 of the NPPF Planning Practice Guidance states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits may include heritage benefits.

The public benefits arising from the development are clearly set out in this report. The harm to the listed building and character of the designated Upper King Street Conservation Area would not be fundamentally compromised and the impacts would be outweighed by the public benefits.

The benefits are consistent with paragraphs 196 and 197 of the NPPF. For the reasons set out above it is also considered that there has been special regard to the desirability of preserving the building, its setting and the features of special architectural or historic interest which it possesses and in relation to sections 16, 66 and 72 of the Planning Act the case for demolition has considered the desirability in relation to preservation and enhancement in respect of both the listed buildings on the site, their setting and the conservation area.

Paragraph 015 in the NPPG states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset notwithstanding the loss of significance caused, and provided the harm is minimised.

It is considered, and demonstrated, that the roof extension would be necessary to allow the site owners to bring forward a viable development, which would seek to substantially restore the remaining historic fabric of the listed building internally and externally, and retain and expand its recognised use as an office.

The design has been refined and overall responds to the local character, history and the fabric of the building and immediate surroundings, in accordance with the NPPF. This equally applies to the setting and character of the Upper King Street Conservation Area.

Taking into account the internal refurbishment and restorative works to the exterior, the impact on the listed building and the wider designated Conservation Area would be assessed as 'neutral'.

In accordance with paragraph 196 of the NPPF, the harm would be less than substantial, and would be outweighed by the public benefits, which include bringing the listed building back into economic use by providing modern office space to meet the requirements of the City Centre market.

The proposal would also help to secure the long-term future of Sam's Chop House. Having operated in the City Centre for over 152 years, and from its Cavendish House premises since 1958, Sam's Chop House is widely recognised as an esteemed Manchester institution.

It is therefore considered that notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S12, S66 and S72 of the Listed Buildings Act within the context of the above the overall impact of the proposal including the impact on heritage assets would meet the tests set out in paragraphs 193, 196, 197 and 200 of the NPPF and that there is a clear and convincing case to support the harm which is outweighed by the overall public benefits of significantly restoring the largely vacant building and bringing it back into full economic use.

## **Benefits of the Proposed Redevelopment**

### **Social benefits**

- a policy-compliant end use for the heritage asset which is in serious danger of falling into further dereliction and disuse;
- full occupancy and use of the building, with increased footfall, would reduce illicit activities and anti-social behaviour experienced in the local vicinity and specifically along Back Pool Fold which currently cause problems to existing businesses and residents close to the site and discourages further investment; and
- Retention of Sam's Chop House would continue to provide residents and visitors places for meeting and enjoyment which in turn promote social activity and inclusion.

### **Economic benefits**

- 100 full and part time jobs would be created during the construction phase;
- 160 permanent jobs would be created through the reuse of the site;

- Support for commercial, retail and leisure operators through increased spending from workers.

### Environmental benefits

- Arrest further deterioration and regenerate the site bringing the long term vacant floorspace within the building back in to positive use;
- Improve the environment and visual quality of the site which detracts from the streetscene and conservation area;
- Make a positive contribution to local character and distinctiveness;
- Promotion of urban vitality and place enhancements.
- No negative impacts on protected species or the natural environment at the site would occur from the proposals.
- Increased energy efficiency of the existing building, offsetting the proposed two storey extension.

### Impacts on Amenity

#### Privacy and Overlooking

Small separation distances between buildings is characteristic in the area and is consistent with a dense urban environment. There are currently very short separation distances between windows to adjacent sites, as would be expected in a City Centre location. The nearest residential building adjacent to the site is opposite Back Pool Fold, and this building would not have any direct windows facing the proposed roof extension. It is therefore considered that in this context the upward extension would not generate any significant overlooking or privacy concerns for existing residents.

#### Daylight, Sunlight and Overshadowing

The nature of high density developments in City Centre locations means that amenity issues, such as daylight, sunlight and the proximity of buildings to one another have to be dealt with in a manner that is appropriate to their context.

In this instance the existing site is already largely overshadowed for much of the day by various taller multi storey buildings to the east, south and south west of the site. The proposed roof extension would cause very minor overshadowing of the Hotel Motel One Manchester-Royal Exchange which directly abuts the site. This neighbouring hotel already exceeds the height of the existing roof level of the proposal site by one storey and has a number of windows along the south elevation, which are set back from the proposal site.

Given the nature of the use of this neighbouring building, and the context of the site, it would be considered that the proposed roof extension does not have any unacceptable impacts on daylight, sunlight or overshadowing.

#### Noise and vibration

There are no amenity issues that would impact on surrounding residential properties over and above those expected in the city centre. The impact of adjacent noise sources on occupiers needs to be considered and a Noise Reports conclude that the internal noise levels can be set at an acceptable level with appropriate acoustic design and mitigation. The level of noise and any mitigation measures required in relation to the operation of any plant and ventilation would be controlled through a recommended condition.

Disruption could arise during the construction phase and the applicant and their contractors would work with the local authority and local communities to seek to minimise disruption. The contractors would be required to engage directly with local residents. The provision of a Construction Management Plan is recommended to be conditioned to any approval to ensure no unacceptable impacts on resident's amenity during construction.

A condition is recommended requiring the hours of operation, for proposed internal and external aspects of the proposal, to be agreed at a later date would ensure no unacceptable impacts on neighbouring occupier's amenity.

### **Full Access and Inclusive Design**

The Applicant has submitted a robust options analysis demonstrating how they have considered all options for providing full access to all areas of the building. The conclusion of this analysis highlights that full level access would be achievable on all internal floors at grounds level and above. The options analysis concluded that level access from Back Pool Fold was the most practical point to achieve full level access into the building. Options considered in regards to providing full access to the lower ground floor have been reasonably demonstrated to be unviable due to a mixture of issues including; significant loss of commercial floor space; physical constraints of the site; and due to the amount of physical fabric harm which would be caused to facilitate such access.

The Applicant accepts that the current situation regarding waste storage on the Highway does not make level access via Back Pool Fold ideal at this very moment. However, they are committed to turning this into an attractive entrance. Significantly, because of the location of the lift and stairs this entrance is expected to be an entrance of choice for staff and visitors. It would have a full video access control from the reception area so that all would be able to enter over a level threshold into a compliant lift and lobby which would lead them to the reception area.

### **Transport Issues / Relationship to Transport Infrastructure**

The location would enable visitors and staff to take full advantage of nearby sustainable transport modes including walking, cycling, bus, tram and rail.

There would be no on site car parking. However, the development would be expected to generate a low number of vehicle trips during peak periods and therefore would have a negligible impact on the local highway network. Any increased use of parking demand associated with the development could be

comfortably met by over 3,000 available off-street parking spaces within 500m of the site.

Deliveries, servicing and collections including waste collections would be controlled through the recommended conditions, and the applicant has demonstrated how the building could be easily accessed by such vehicles within the existing Highway of Chapel Walks.

A Draft Travel Plan sets out how occupants and visitors would be encouraged to use non-car modes of travel. The Draft Travel Plan would be implemented prior to the first occupation of the development and the Applicant would be required to appoint a Travel Plan Co-ordinator whom would be responsible for both implementing, monitoring, developing and reviewing a full Travel Plan. This would be controlled through conditions.

The construction may cause some temporary and predictable impacts on the local highway network through compounds, construction vehicle traffic and site hoardings. These impacts are temporary and would be controlled partly through the recommended Construction Management Plan (CMP) condition and licenses under the Highways Act.

### **Waste Management**

The development includes an additional internal bin store on the Lower Ground Floor accessed via Back Pool Fold. It is proposed that Sam's Chop House, and the Upper Ground Floor tenant would be responsible for using this bin store, involving these occupiers moving collection bins onto Back Pool Fold for bin lorries to collect, on a weekly basis, from nearby loading bays on the corner of Cheapside and Chapel Walks. Both parties would be responsible for returning the collection bins back to the internal bin store location, and this would be enforced by on-site building managers. The Applicant has confirmed that such instructions are contained within the relevant tenant's lease covenants.

The waste management for the offices would be dealt with via daily collections. Tenants will place their waste into designated bags and each day the bags will be placed in a designated location and collected by the waste management company.

A recommended condition would ensure that adequate internal waste storage capacity is provided for general waste, pulpable, mixed recycling and food waste, including a detailed collection strategy.

Back Pool Fold is currently poorly managed and unattractive due to existing waste management issues, which are not necessarily caused by the Applicant's site. It is further understood that the adjacent buildings on Back Pool Fold, which recently received planning permission for residential accommodation, would soon also include internal bin storage locations. It is considered likely that the partial re-activation of Back Pool Fold by this proposal and nearby development would culminate in a much better managed situation along Back Pool Fold.

### **Crime and Disorder**

A Crime Impact Statement (CIS) prepared by Greater Manchester Police supports the proposal and subject to the incorporation of measures included in the report would be acceptable.

### **Sustainability, Energy Efficiency and Reduction of CO2 Emissions**

The listed status means that it has not been possible to improve the thermal performance of the building, excluding the two storey extension. All existing services, which are very inefficient due to age, would be totally replaced and improved. New installations including LED fittings, presence detection and daylight harvesting significantly reduce energy consumption and offset energy consumed by the new fixed building services.

The new equipment would be listed on the Energy Technology List (ETL) and would therefore satisfy the requirements of the Enhanced Capital Allowances (ECA) scheme for the installation of energy efficient plant and machinery. The predicted modelling indicates an improvement of more than 50% of the current emission rate.

A condition is recommended to ensure that as part of construction the developer explores how all new materials could be sourced, if practical, from local supply chains, reducing the embodied carbon associated with transportation as much as possible. Further, and where viable and not at odds with heritage values, the specification of new materials used in construction would also be expected to use the lowest embodied carbon option.

### **Biodiversity/Wildlife Issues**

A Preliminary Bat Roost Assessment (PRA) accompanies the proposals and indicates that the building has no roosting potential for bats.

The assessment did identify potential for nesting birds and advises that any works relating to the proposed roof extension should be undertaken outside of the breeding bird season (1st March to 31st August inclusive). If this is not possible, a nesting bird check must be performed by a qualified ecologist a maximum of 24 hours prior to the works being undertaken.

The PRA confirms that if nesting birds are found, an appropriate exclusion zone would need to be set up around any active nests until the young have fledged. Regular monitoring checks would need to be undertaken by an ecologist to advise when it is possible for works to proceed. The extent of the exclusion zone is dependent upon the species nesting.

A condition is recommended which would ensure no disturbance to any potential breeding birds discovered during construction or bats.

### **Flood Risk**

Site is within Flood Zone 1 and low risk of surface water flooding. The proposals would not change the Flood Risk Vulnerability Classification as the proposal would

not increase the footprint of the existing building. The existing roof drains directly into existing drainage channels and this would not be changed by the proposals.

Attempting to improve rainwater run off rates on proposed roof would almost certainly require significant physical alterations to the fabric and would likely further increase the quantum of development necessary to ensure such could be achieved, which in this instance would be undesirable.

In this context the Flood Risk Management team have not requested any improvements of the existing roof rainwater runoff rates.

## **Conclusion**

There is an important link between economic growth, regeneration and the provision of new high quality office accommodation. There is an acknowledged need to provide high quality office accommodation in the city centre in order to support and sustain growth of the region's economy.

Officers have been mindful that consideration of the historic environment and its heritage assets is a principal objective of sustainable development. Sustainable development has three broad roles: economic, social and environmental. The environmental role is "contributing to protecting and enhancing our...historic environment..." amongst other things (paragraph 8 NPPF). This would include preserving and enhancing the listed building, and the character of the Conservation Area, all of which would be undermined should the building be allowed to continue to degrade over time through lack of economic use.

Social benefits would be derived from an appreciation of the above and the continued use of Sam's Chop House. Economic benefits would be derived from job creation including supply side employment and the provision of additional office accommodation for which there is still demand. Should these proposals not be supported the further deterioration of the building is considered to be a realistic prospect.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving and enhancing the listed building, the setting of the listed buildings and Conservation Area as required by virtue of S16, S66 and S72 of the Listed Buildings Act within the context of the above the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 196, 197 and 200 of the NPPF and that there is a clear and convincing case to support the limited identified harm - the two storey extension - which is outweighed by the associated public benefits of bringing the site back into full economic use.

On balance given the overall previously emphasised policy support for the proposals, and notwithstanding the limited identified heritage harm, the proposals represent sustainable development and will bring significant social, economic and environmental benefits, as such they merit the granting of planning permission and listed building consent.

**Human Rights Act 1998 considerations** – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

### **Application 126422/FO/2020**

**Recommendation(s) APPROVE**

### **Article 35 Declaration**

Officers have worked with the applicant / agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case amendments were proposed to the scheme following consultation responses and discussions with Officers. Appropriate conditions have been attached to the approval with the agreement of the applicant / agent.

### **Conditions to be attached to the decision**

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings No & Titled:

P(001)	CHAPEL WALK COLOURED ELEVATION;
P(002)	CHAPEL WALK LONG COLOURED ELEVATION;
P(003)	PALL MALL COLOURED ELEVATION;
P(004)	PALL MALL LONG COLOURED ELEVATION;
P(163)	FOURTH FLOOR PLAN - OPT B(CHIM AND EAVES);
P(173)	FIFTH FLOOR PLAN - CHIM AND EAVES);

P(183) ROOF TERRACE PLAN - (OPT B (CHIM AND EAVES));  
P(193) ROOF PLAN - (OPT B (CHIM AND EAVES));  
P(203A) PALL MALL ELEVATION (OPTION B);  
P(205B) PALL MALL LONG ELEVATION (OPTION B);  
P(213D) CHAPEL WALK ELEVATION (OPTION B);  
P(215A) CHAPEL WALK LONGELEVATION (OPTION B);  
P(223E) BACK POOL FOLD ELEVATION (OPTION B);  
P(223E) BACK POOL FOLD ELEVATION (OPTION B);  
P(100) BASEMENT FLOOR PLAN;  
P(110) REV F LOWER GROUND FLOOR PLAN;  
P(111) REV A LOWER GROUND FLOOR PLAN (STRIP OUT);  
P(120) REV H GROUND FLOOR PLAN;  
P(121) REV A GROUND FLOOR PLAN STRIP OUT;  
P(130) REV F FIRST FLOOR PLAN;  
P(131) REV A FIRST FLOOR STRIP OUT PLAN;  
P(140) REV F SECOND FLOOR PLAN;  
P(141) REV A SECOND FLOOR STRIP OUT PLAN;  
P(150) REV H THIRD FLOOR PLAN;  
P(151) REV A THIRD FLOOR STRIP OUT PLAN;  
P(201) REV C PALL MALL STRIP OUT ELEVATION;  
P(211) REV C CHAPEL WALKS STRIP OUT ELEVATION;  
P(221) REV C BACK POOL FOLD STRIP OUT ELEVATION;  
P(230) BACK POOL FOLD ELEVATION 2;  
P(231) REV B BACK POOL FOLD ELEVATION;  
P(300) REV E SECTION A-A;  
P(301) REV C SECTION B-B;  
P(401) TYPICAL SASH WINDOWS REINSTATEMENT DETAIL;  
P(402) TYPICAL DETAILS INTERIOR;  
P(403) REV A SKETCH FACADE DETAILING SHEET 2;  
P(405) PLASTERWORK REPAIR AND REINSTATEMENT;  
P(413) SKETCH FACADE DETAILING - OPTION B;  
E(100) REV A BASEMENT FLOOR PLAN;  
E(110) REV A LOWER GROUND FLOOR PLAN;  
E(120) REV A GROUND FLOOR PLAN;  
E(130) REV A FIRST FLOOR PLAN;  
E(140) REV A SECOND FLOOR PLAN;  
E(150) REV A THIRD FLOOR PLAN;  
E(200) FRONT ELEVATION (PALL MALL);  
E(201) SIDE ELEVATION (CHAPEL WALKS);  
E(202) SIDE ELEVATIONS (BACK POOL FOLD);  
E(300) REV A SECTION A-A;  
E(301) REV A SECTION B-B;  
E103 BASEMENT SIGNIFICANCE FLOOR PLAN;  
E113 LOWER GF SIGNIFICANCE FLOOR PLAN;  
E123 GF SIGNIFICANCE FLOOR PLAN;  
E133 1F SIGNIFICANCE FLOOR PLAN;  
E143 2F SIGNIFICANCE FLOOR PLAN;  
E153 3F SIGNIFICANCE FLOOR PLAN;  
E210 PALL MALL ELEVATION SIGNIFICANCE;  
E211 CHAPEL WALKS ELEVATION SIGNIFICANCE;

E212 BACK POOL FOLD SIDE ELEVATIONS SIGNIFICANCE; and  
E(001) Location Plan;  
stamped as received by the City Council as local planning authority on 29  
September 2020.

Planning Documents and Drawings:  
Covering Letter 28 September 2020;  
Design and Access Statement Oct 2019;  
Supporting Planning Statement September 2020;  
Energy and Sustainability Statement (MTC588 Rev. v1 | 23.10.19);  
Heritage Statement (Oct 2019);  
Financial Viability Assessment February 2020;  
Planning Noise Assessment (Report 19/0417/R1);  
A3 Use Odour and Noise Impact Assessment;  
Crime Impact Statement (Version A: 24.10.19);  
Transport Statement October 2019;  
Framework Travel Plan October 2019;  
Bat Report (Document Ref 7875.001);  
WASTE PROFORMA Rev B - April 2020;  
Drawing No. and Title: P115 REV A WASTE AND DELIVERY PLAN,  
Window Replacement/ Removal Schedule (Issued A 27/04/2020); and  
Cavendish House Material Precedents,  
stamped as received by the City Council as local planning authority on 29  
September 2020.

Photos and Photomontages:  
1F INTERIOR PHOTOS;  
2F INTERIOR PHOTOS;  
3F INTERIOR PHOTOS;  
3F INTERNAL CGI;  
5F INTERNAL CGI;  
BASEMENT INTERIOR PHOTOS;  
EXTERNAL CLOSEUPS;  
EXTERNAL FACADE;  
EXTERNAL VIEWS;  
GF INTERIOR PHOTOS;  
LOWER GF INTERIOR PHOTOS;  
S06\_CROSS\_001;  
S01\_PALL\_MALL\_002;  
S02\_MARSDEN\_003; and  
S03\_CHEAPSIDE\_008,  
stamped as received by the City Council as local planning authority on 29  
September 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies EC1, DM1, T1, T2, EN1, EN3, EN4, EN8, EN14, EN15, EN19, CC1, CC6, CC6, CC8, CC9, CC10 and SP1 of the City of Manchester Core Strategy, and saved policies DC10, DC18, DC19 and DC26 of the Unitary Development Plan for the City of Manchester, and the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

3) Prior to the commencement of the development, a detailed construction/fit-out management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt this should include:

- Hours of site opening/operation;
- Display of an emergency contact number;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (site waste management plan);
- Phasing and quantification/classification of vehicular activity;
- Types and frequency of vehicular demands;
- Routing strategy and swept path analysis;
- Parking for construction vehicles and staff;
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;
- The erection and maintenance of security hoardings;
- Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times; and
- Community consultation strategy.
- A commentary of how the development has sought to minimise the impact of construction in terms of reducing carbon emissions

The construction management plan will cover the phased construction of the works if required. The development shall then be carried out in accordance with the approved construction management plan(s).

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies DM1, SP1, T1, EN8, EN9, EN19 and DM1 of the City of Manchester Core Strategy.

4) a) Notwithstanding the submitted plans and documents as specified in condition 2, prior to the commencement of development, other than enabling works comprising demolition, piling and construction of the sub structure, the following shall be submitted to and approved in writing by the City Council, as local planning authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development and drawings to illustrate details of sample panels that will be produced. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development. Full and final details including jointing and fixing details; details of the drips to be used to prevent staining; details of the glazing, a strategy for quality control management; and a commentary of how materials would be sourced, if possible, in the sustainably, as possible.

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme, as agreed in the above part a of this condition, and the development shall be fully implemented in accordance with the approved materials or details thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the recommendations within the submitted Planning Noise Assessment (Report 19/0417/R1), stamped as received by the City Council as local planning authority on 29 September 2020.

The recommendations contained within the above report shall be implemented prior to the first use of the hereby approved offices (B1 Use Class), as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace).

b) Notwithstanding the approved plans and documents as specified in condition 2 and the above part a, prior to the first occupation of the office (B1 Use Class) use a verification report shall be submitted to and approved in writing by City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. Any further mitigations measures proposed shall be implemented prior to the use commencing and retained thereafter while the specific office use is operational.

Reason – In the interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

6) a) The A1/A3 (shop/café/restaurant) use, as identified on the proposed ground floor plan, shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of any said use. The scheme shall be implemented in full before any specific A1/A3 uses commence or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the  $L_{Aeq}$  (entertainment noise) shall be controlled to 10dB below the  $L_{A90}$  (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively and as appropriate in the circumstances.

b) Notwithstanding condition 2 or part a, prior to first occupation of the specific A1/A3 (shop/café/restaurant) uses, as identified on the proposed ground floor plans, a

verification report will be required, to be submitted to and approved in writing by the City Council as local planning authority, to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any further mitigations measures proposed shall be implemented prior to the specific use commencing and retained thereafter while said use is operational.

Reason – In the interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

7) a) Notwithstanding the approved plans and documents as specified in condition 2, any externally mounted ancillary equipment, plant and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Prior to the first use (notwithstanding limited use for compliance testing) of any associated externally mounted ancillary equipment, plant and servicing, a scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

b) Notwithstanding the approved plans and documents as specified in condition 2 and part a of this condition, prior to first use of any externally mounted ancillary equipment (notwithstanding limited compliance testing) a verification report will be required, to be submitted to and approved in writing by the City Council as local planning authority, to validate that the work undertaken confirms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the equipment and any mitigation measures have been installed. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance.

The approved report and any further recommended/required mitigation measures shall be implemented in full, and retained thereafter, in accordance with the approved details before any externally mounted ancillary equipment, plant and servicing is first brought into full operational use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

8) In the event that any of the commercial unit, as indicated the proposed ground floor plans, are occupied as an A1/A3 use, prior to their first use the following operational management details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

These details are as follows:

Management of patrons and control of internal and external areas. For the avoidance of doubt this shall include:

- An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, and management of smokers)
- Details of a Dispersal Procedure

The approved operational management details shall be implemented and maintained upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the City of Manchester Core Strategy and to saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

9) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before any hereby approved A1/A3 (café/restaurant) uses commence. The approved scheme shall be implemented in full prior to the first occupation of said A1/A3 uses and maintained while said uses are in operation.

For the avoidance of doubt, mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Notwithstanding the approved plans and documents as specified in condition 2 and the above part a, prior to the first use of any equipment associated with the handling of fumes, vapours and odours associated with the approved A1/A3 uses, a verification report will be required to validate that the work undertaken throughout the installation conforms to the recommendations and requirements in the approved consultant's report and drawings. The verification report will shall to be submitted to and agreed in writing before use of the equipment, notwithstanding use for limited compliance testing. The report shall also undertake post completion testing to confirm that acceptable criteria has been met.

Any instances of non-conformity with the recommendations in the report with regard to fume, odour and smoke abatement measures recommended shall be detailed along with any further measures required to ensure compliance with the requirements. Photographs should be included within the verification report identifying the abatement equipment, inspection hatches and filters in situ.

Any further mitigations measures approved shall be fully implemented and retained prior to the first occupation of the A1/A3 uses (cafes/restaurant).

Reason - To ensure an adequate fume and odour extraction system is installed in the interest of visual and residential amenity pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

10) a) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of the approved office space (B1 Use Class), as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors, the premises opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The premises shall only operate in accordance with the approved hours thereafter.

b) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of the shop/café/restaurant (A1/A3 Use Class), as identified clearly on the ground floors plans, the premises opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The premises shall only operate in accordance with the approved hours thereafter.

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

11) Notwithstanding the approved plans and documents as specified in condition 2, deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, deliveries/waste collections on Sundays/Bank Holidays confined to 10:00 to 18:00.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to the City of Manchester Core Strategy policies SP1 and DM1 and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

12) Prior to the first occupation and use of the external roof terrace hereby approved, a detailed operation management strategy shall be submitted to and approved in writing by the City Council as local planning authority.

The strategy shall confirm and detail:

- Confirm the hours the external area would be operational
- Confirm no amplified music or sound shall be played in the external terrace area at any time
- Confirm intended uses permitted on the external terrace area
- Detail any associated external furniture, canopies or large non-fixed equipment/planters which would be located externally.
- Detail how the external roof area would be managed to ensure no undue disturbance to neighbouring occupiers
- Detail how smokers would be dealt with

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

13) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including

roof terrace), a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

The approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

For the avoidance of doubt, new developments shall have refuse storage space for segregated waste collection and recycling, including provisions for general, recycling, pulvable and food waste receptacles being stored internally, as appropriate.

Reason - In order to ensure that adequate provision is made within the development for the collection of waste in accordance with policies DM1 and EN19 of the City of Manchester Core Strategy.

14) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

i) the measures proposed to recruit local people including apprenticeships  
ii) mechanisms for the implementation and delivery of the Local Benefit Proposal  
iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy.

15) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace), the measures set out in the submitted Framework Travel Plan October 2019, stamped as received by the City Council as local planning authority on 29 September 2020, shall be implemented in full and monitored thereafter for a period of at least six months following first occupation of the specified uses.

b) Notwithstanding the approved plans and documents as specified in condition 2 or the above part a of this condition, within six months of the first occupation of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to the Travel Plan monitoring shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall

be implemented, managed and retained in full at all times when the development hereby approved is in use.

Reason - To ensure that measures are in place to reduce the dependency of residents and staff within the building from accessing the building by car pursuant to highway and pedestrian safety and to reduce the highway impacts of the development, pursuant to policies SP1, DM1 and T2 of the City of Manchester Core Strategy.

16) a) Notwithstanding the approved plans and documents as specified in condition 2, the development shall be implemented in full accordance with recommendations as set out in the submitted and hereby approved Crime Impact Statement (Version A: 24.10.19), in particular the recommendations set out between Sections 3.3 to Section 7.0 of the CIS, as prepared by Design for Security at Greater Manchester Police, received by the City Council as local planning authority on 29 September 2020. The recommendations shall be fully implemented retained while the use remains in operation.

b) The permitted B1 and A1/A3 uses, as identified on the proposed floor plans, shall not be first occupied until the City Council as local planning authority has acknowledged in writing that the development has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and to reflect the guidance contained in the revised National Planning Policy Framework (2019).

17) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace), details regarding space and facilities for bicycle parking shall be submitted to and approved in writing by the City Council as local planning authority. The approved spaces and facilities shall then be retained and permanently reserved for bicycle parking thereafter.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to transport mode, pursuant to policies SP1, T1 and T2 of the City of Manchester Core Strategy.

18) Prior to the first occupation of any B1 and A1/A3 uses, as identified on the proposed floor plans relating to the ground, first, second, third, fourth and fifth floors (including roof terrace), full access into and through the site and into and throughout all areas of the building for all persons, including those whose mobility is impaired must be fully implemented and retained thereafter in accordance with the submitted and approved documents as specified in condition 2.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policy DM1 of the City of Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester.

19) Prior to implementation of any proposed external lighting scheme details of the relevant scheme (including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of occupants within this and adjacent developments) shall be submitted to and agreed in writing by the City Council as local planning authority. Any approved details shall be implemented and maintained in accordance with the relevant approved details thereafter.

Reason - In the interests of visual and residential amenity pursuant to the City of Manchester Core Strategy policies SP1, CC9, EN3 and DM1 and saved policy DC18 of the Unitary Development Plan for the City of Manchester.

20) The external façade window(s) at fourth and fifth floor level, fronting onto Pall Mall and Chapel Walks, shall be retained as a clear glazed windows at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street scene consistent with the use of such areas by members of the public, and so as to be consistent with policies EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC14, DC18, DC19 of the Unitary Development Plan for the City of Manchester.

21) Prior to occupation of any of the commercial units (A1/A3 Use Class) details of a signage strategy shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved signage strategy shall thereafter be accorded with by future occupiers unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the interests of visual amenity to enable careful attention to signage details and the level of visual clutter associated with any external seating is required to protect the character and appearance of this building in accordance with policies EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

22) a) If bats, or evidence of bats, is found at any time then all works must cease (internal and external works) until a scheme to deal with bats has been submitted to and approved in writing by the City Council as local planning authority. The scheme and any mitigations measures proposed shall be implemented in full thereafter.

b) No works, including demolition or alteration of the roof structure shall be permitted during bird breeding season, 1<sup>st</sup> March to 31<sup>st</sup> August inclusive. If works are required to the roof structure during this period, a suitably qualified ecologist should carry out a nesting bird check a maximum of 24 hours in advance of the building works commencing. If nesting birds are found, an appropriate exclusion zone, as to be agreed by a suitably qualified ecologist, shall be set up around any active nests until the young have fledged. The ecologist shall be required to carry out regular monitoring checks to advise when it is possible for works to proceed.

For the avoidance of doubt, the size of the exclusion zone will depend on the species nesting, and if the works fall within the ecologist's recommended minimum exclusion zone then no works shall commence to the roof structure until the ecologist advises.

Reason - To ensure a no harm to protected species, such as bats or nesting birds, occurs through the development and ensure appropriate mitigation is proposed should bats, or evidence of bats, be discovered during the works, pursuant to policy EN15 of the City of Manchester Core Strategy.

23) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall only be used for Office (Use Class B1), with ancillary ground floor commercial A1/A3 uses, as identified on the proposed floor plans, and for no other purpose.

Reason - In the interest of retaining the provision of office space within the development, and ensuring no adverse impacts to neighbouring occupier's amenity, pursuant to policies DM1, EC1 of the City of Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

24) No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs, unless otherwise agreed in writing by the City Council as local planning authority.

Reason: In the interest of visual amenity and pursuant to policies EN1, EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

### **Application 126423/LO/2020**

**Recommendation(s) APPROVE**

### **Article 35 Declaration**

Officers have worked with the applicant / agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case amendments were proposed to the scheme following consultation responses and discussions with Officers. Appropriate conditions have been attached to the approval with the agreement of the applicant / agent.

### **Conditions to be attached to the decision**

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings No & Titled:

P(001) CHAPEL WALK COLOURED ELEVATION;  
P(002) CHAPEL WALK LONG COLOURED ELEVATION;  
P(003) PALL MALL COLOURED ELEVATION;  
P(004) PALL MALL LONG COLOURED ELEVATION;  
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P(173) FIFTH FLOOR PLAN - CHIM AND EAVES);  
P(183) ROOF TERRACE PLAN - (OPT B (CHIM AND EAVES));  
P(193) ROOF PLAN - (OPT B (CHIM AND EAVES));  
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P(141) REV A SECOND FLOOR STRIP OUT PLAN;  
P(150) REV H THIRD FLOOR PLAN;  
P(151) REV A THIRD FLOOR STRIP OUT PLAN;  
P(201) REV C PALL MALL STRIP OUT ELEVATION;  
P(211) REV C CHAPEL WALKS STRIP OUT ELEVATION;  
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P(230) BACK POOL FOLD ELEVATION 2;  
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P(402) TYPICAL DETAILS INTERIOR;  
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P(405) PLASTERWORK REPAIR AND REINSTATEMENT;  
P(413) SKETCH FACADE DETAILING - OPTION B;  
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E(140) REV A SECOND FLOOR PLAN;  
E(150) REV A THIRD FLOOR PLAN;  
E(200) FRONT ELEVATION (PALL MALL);  
E(201) SIDE ELEVATION (CHAPEL WALKS);  
E(202) SIDE ELEVATIONS (BACK POOL FOLD);

E(300) REV A SECTION A-A;  
E(301) REV A SECTION B-B;  
E103 BASEMENT SIGNIFICANCE FLOOR PLAN;  
E113 LOWER GF SIGNIFICANCE FLOOR PLAN;  
E123 GF SIGNIFICANCE FLOOR PLAN;  
E133 1F SIGNIFICANCE FLOOR PLAN;  
E143 2F SIGNIFICANCE FLOOR PLAN;  
E153 3F SIGNIFICANCE FLOOR PLAN;  
E210 PALL MALL ELEVATION SIGNIFICANCE;  
E211 CHAPEL WALKS ELEVATION SIGNIFICANCE;  
E212 BACK POOL FOLD SIDE ELEVATIONS SIGNIFICANCE; and  
E(001) Location Plan;  
stamped as received by the City Council as local planning authority on 29  
September 2020.

Planning Documents and Drawings:  
Covering Letter 28 September 2020;  
Design and Access Statement Oct 2019;  
Supporting Planning Statement September 2020;  
Energy and Sustainability Statement (MTC588 Rev. v1 | 23.10.19);  
Heritage Statement (Oct 2019);  
Financial Viability Assessment February 2020;  
Planning Noise Assessment (Report 19/0417/R1);  
A3 Use Odour and Noise Impact Assessment;  
Crime Impact Statement (Version A: 24.10.19);  
Transport Statement October 2019;  
Framework Travel Plan October 2019;  
Bat Report (Document Ref 7875.001);  
WASTE PROFORMA Rev B - April 2020;  
Drawing No. and Title: P115 REV A WASTE AND DELIVERY PLAN,  
Window Replacement/ Removal Schedule (Issued A 27/04/2020); and  
Cavendish House Material Precedents,  
stamped as received by the City Council as local planning authority on 29  
September 2020.

Photos and Photomontages:  
1F INTERIOR PHOTOS;  
2F INTERIOR PHOTOS;  
3F INTERIOR PHOTOS;  
3F INTERNAL CGI;  
5F INTERNAL CGI;  
BASEMENT INTERIOR PHOTOS;  
EXTERNAL CLOSEUPS;  
EXTERNAL FACADE;  
EXTERNAL VIEWS;  
GF INTERIOR PHOTOS;  
LOWER GF INTERIOR PHOTOS;  
S06\_CROSS\_001;  
S01\_PALL\_MALL\_002;  
S02\_MARSDEN\_003; and

S03\_CHEAPSIDE\_008,  
stamped as received by the City Council as local planning authority on 29  
September 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, EN3, CC9 and SP1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester, the revised National Planning Policy Framework (Feb 2019), and the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

3) a) Notwithstanding the submitted plans and documents as specified in condition 2 and condition 4, prior to the commencement of development (notwithstanding external scaffolding erection) the following shall be submitted to and approved in writing by the City Council, as local planning authority:

- (i) A programme for the issue of samples and specifications of all material to be used on all internal and external elevations of the development and drawings to illustrate details of sample panels that will be produced. The programme shall include timings for the submission of samples and specifications of all materials to be used on all internal and external parts of the development;
- (ii) full and final details including clearly annotated detailed cross sectional drawings with all relevant jointing and fixing details; and
- (iii) a strategy for quality control management.

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme, as agreed in the above part a of this condition, and the development shall be fully implemented in accordance with the approved materials or details thereafter.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the details shown on/within the approved drawings and documents listed in condition 2 and 3, the following information shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to each particular aspect of the specific specified works commencing:

- a) Detailed schedule of all (i) internal and (ii) external repairs, including specifications and methodologies for all of the repair/restorations works to the building including cleaning strategy.
- b) Detailed schedule of all (i) internal physical works to both existing and proposed building fabric including, specifications and methodologies for all floors, walls, ceilings and other internal fabric (both original and non-original).

c) A strategy for the location and detailing of all M&E building services, including electrics, plumbing, telecommunications, fire/security alarms, communal tv/satellite connections and aerials CCTV cameras (and associated cabling and equipment).

d) Details of the interface between new internal walls and existing walls/ceilings and shadow gap details

e) Details method statement for removal of existing glazing, including specification and methodology for replacement glazing.

The works shall be carried out in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) Prior to the commencement of any works to the existing external facade a scheme, including a detailed methodology and specification, for any scaffolding and support structures required in order to carry out the approved works shall be submitted to and approved in writing by the City Council as local planning authority.

The scheme shall explore options considered in order to minimise any potential harm to the asset, and include details of any means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following the removal of the scaffold. Any associated scaffold shall be fully implemented and subsequently removed in accordance with the approved scheme.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding the approved plans and documents as specified in condition 2 and conditions 3 and 4, before any works to the building commences (notwithstanding external scaffold erection) details of a watching brief for the soft strip out shall be submitted to and agreed in writing by the City Council as local planning authority. Details of the findings of the watching brief and the intended treatment, remedial measures and repairs to any original/historic fabric of significance discovered shall then be submitted and agreed in writing by the City Council as local planning authority.

The watching brief and development shall be carried out in accordance with the approved plans and particulars.

All of the above shall be implemented fully in accordance with the approved details with in a period of 6 months following the City Council's written approval of the further details and particulars.

Reason - The proposed works affect the setting of designated heritage assets and careful attention to building work is required to protect the character and appearance of the designated heritage asset, in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

7) Prior to the commencement of the development (notwithstanding external scaffolding erection), a full photographic record of the building (internally and externally before and after any strip out / demolition works) including all areas where physical changes are proposed, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To provide a record of any archaeological remains and of the listed building's appearance and condition before works commence, in accordance with policies SP1, EN3, CC9 and DM1 of the City of Manchester Core Strategy and saved policy DC19 of the Unitary Development Plan for the City of Manchester.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to applications ref: 126422/FO/2020 and 126423/LO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services  
Environmental Health  
MCC Flood Risk Management  
Strategic Development Team  
Urban Design & Conservation  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Historic England (North West)**

**A map showing the neighbours notified of the application is attached at the end of the report.**

**Relevant Contact Officer :** Christopher Smith  
**Telephone number :** 0161 234 4529  
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